

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERT JAMES MORGAN,

Petitioner,

File No. 1:14-cv-300

v.

HON. ROBERT HOLMES BELL

WILLIE SMITH,

Respondent.

**O R D E R**

On October 23, 2016, Magistrate Judge Phillip J. Green issued a Report and Recommendation (“R&R”) recommending that the action be dismissed as meritless. The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so has expired.<sup>1</sup> On review, the Court concludes that the R&R correctly analyzes the issues and makes a sound recommendation. Accordingly,

**IT IS HEREBY ORDERED** that the October 23, 2016, R&R (ECF No. 10) is **APPROVED** and **ADOPTED** as the opinion of this Court. A judgment will enter dismissing the action.

**IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

Dated: November 23, 2016

/s/ Robert Holmes Bell

ROBERT HOLMES BELL

UNITED STATES DISTRICT JUDGE

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<sup>1</sup>The R&R was initially mailed to the address on file for Petitioner. When that mail was returned as undeliverable, on October 31, 2016, the Court sent the R&R to Petitioner at Chippewa Correctional Facility, Petitioner’s place of incarceration according to the Michigan Department of Corrections website.